

COMPLIANCE AND TECHNICAL ASSISTANCE PROGRAM REPORT FOR THE COMPLIANCE ADVISORY PANEL 2003



A Report for the Compliance Advisory Panel - 2003

The Compliance and Technical Assistance Program (CTAP) is Indiana's Small Business Assistance Program (SBAP), operating under Section 507 of the Federal Clean Air Act, U.S. Code 7611f, and Indiana Code (IC) 13-28-5-4. The CTAP is statutorily authorized to operate under IC 13-28-1 (Office of Voluntary Compliance) and IC 13-28-3 (SBAP). Under these statutes, the CTAP is required to have a small business ombudsman and develop a clearinghouse of environmental resources. The Indiana Department of Environmental Management's (IDEM) Office of Pollution Prevention and Technical Assistance (OPPTA) falls within the CTAP.

The CTAP provides confidential, environmental assistance to Indiana businesses that request such services, and it proactively works with other programs within the Indiana Department of Environmental Management (IDEM), governmental entities, and regulated entities, to provide regulatory and technical outreach and assistance. Outreach efforts include conducting educational workshops, performing confidential site visits, providing confidential telephone assistance, developing recognition programs, compliance assistance manuals, and fact sheets. In order to effectively provide the type of assistance needed by the regulated community, strict confidentiality is maintained.

Over the next two years, the CTAP will focus on assistance to industry sectors impacted by new storm water regulations and new National Emission Standards for Hazardous Air Pollutants (NESHAP) standards, while reviewing sectors where assistance has already been provided. The compliance activities associated with any new sectors will be included in the 2003-2005 Environmental Performance Partnership Agreement with the U.S. Environmental Protection Agency (EPA).

A new project for Fiscal Years 2004 and 2005 will include the development of a Small Business Environmental Guide. This guidebook will provide Indiana small businesses with information to enable them to quickly determine if their business is subject to a regulation and direct them to additional resources that will explain the applicable regulations. The guidebook will cover topics including, but not limited to, regulations from the three environmental media (air, land and water), pollution prevention planning, safety and health, financial assistance, and emergency planning.

To provide the best possible service, and to expand focused efforts, the CTAP will continue to evaluate available resources and the utilization of these resources to meet current program and service needs. As part of this constant evaluation, concentrated assistance efforts for the printing industry and childcare sector will be scaled back. Depending on future resources available to the CTAP, other assistance efforts may also be reduced. The CTAP staff will continue to provide telephone and on-site assistance to all sectors. Current 5-Star Recognition Programs will also be evaluated for continuation or elimination. The CTAP will continue to examine and modify its compliance assistance efforts based on new regulations, EPA suggestions, Hoosier business sector interest, and the availability of resources.

The following sections provide information on the number and type of compliance contacts made and assistance provided by CTAP since 1996. These sections also demonstrate IDEM's ability to analyze the data for trends and planning purposes, which will enable the agency to take a proactive approach to assisting Indiana's regulated entities.

CTAP Small Business Assistance Contacts

The table and graph below show significant progress in reaching and assisting Indiana units of government, businesses and citizens. Since 1996, assistance efforts (contacts made) have increased every year except in 2002, when the state's fiscal situation negatively impacted the CTAP. Current projections indicate that this upward trend will return in 2003. The downward trend in mailings and publications continues from 2002 due to the CTAP's focus on electronic publication and outreach as part of IDEM efficiency measures. Despite the decrease in mailings and publications, the number of active contacts, including telephone calls, site visits and "hits" to the CTAP home page (<http://www.IN.gov/idem/ctap/>) are all on pace to increase, by 19 percent, 6 percent, and 16 percent, respectively when compared to 2002 totals.



Telephone Contacts
↑ 19%



On-site Assistance
↑ 6%



Web site hits
↑ 16%

Budget cuts and the number of staff vacancies in OPPTA impacted the CTAP's outreach efforts. However, the CTAP continues to work with the Indiana Department of Commerce on a controlled marketing plan of the program. In addition to this collaborative relationship, the CTAP is working with the Indiana Department of Labor's Bureau of Safety Education and Training (BuSET) to distribute information on both agencies' programs.

TABLE 1: 7 ½ Year History of OPPTA Small Business Assistance Contacts

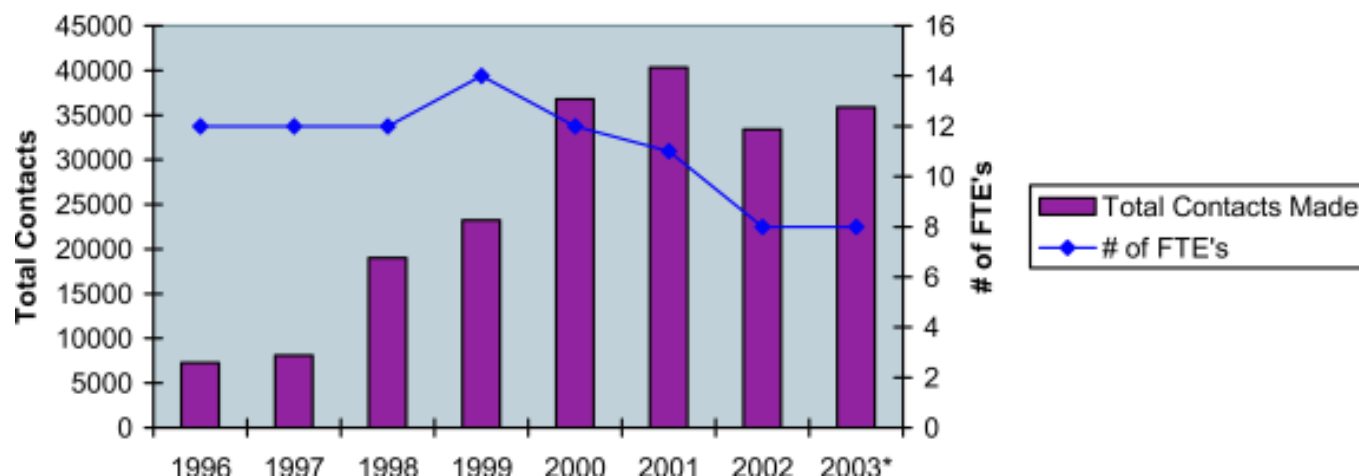
Contact Type	1996	1997	1998	1999	2000	2001	2002	#2003
Telephone Assistance	2,254	3,200	2,770	2,785	2,972	2,990	3,122	1,853
On-site Visits	411	138	155	245	296	521	913	482
Seminars/Workshops	80	565	764	1,491	2,485	2,956	2,002	3,300
Publications *	2,133	3,364	6,724	4,290	10,985	12,500	8,000	3,200
Home Page Hits	1,318	600	1,574	3,691	6,313	8,365	10,566	6,106
Teleconferences	0	0	67	0	0	0	0	0
Mailings	1,050	225	6,935	10,730	13,908	13,000	8,800	3,000
Total Contacts Made	7,246	8,092	18,989	23,232	36,758	40,332	33,403	17,941
Staff members (FTEs)	12	12	12	14	12	11	8	8

*Includes guidance manuals, fact sheets, brochures and annual reports.

Covers **only** the first half of 2003 (January – June)

NOTE: The shaded columns show the contacts made after implementing the CTAP database, which actively tracks contacts electronically.

7.5 Year History of CTAP Assistance Efforts vs. Number of Full-Time Employees (FTE's)

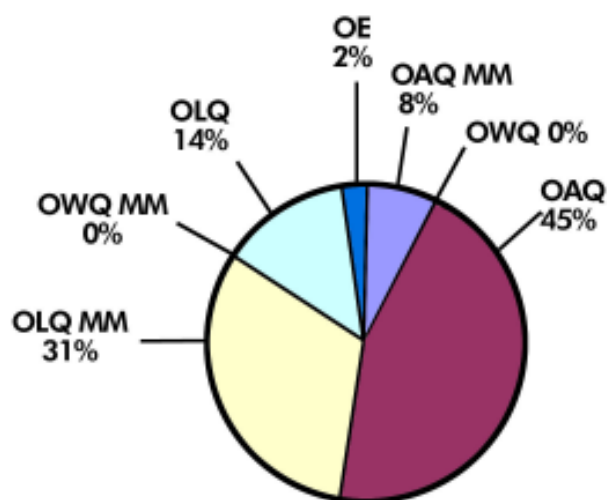


The graph above shows a decrease in the number of Full Time Equivalents (FTE's) has occurred since 1999. Despite this decrease, services provided by the CTAP staff have actually increased through continuous review of processes and programs for efficiencies and the growing demand for CTAP services. On the following pages, we have provided data to enable interested parties to understand the CTAP program and its impacts on Indiana entities.

FIGURE 1:
2003 Types of CTAP Referrals

Types of IDEM Referrals:

OPPTA, each of IDEM's environmental media offices (Office of Air Quality (OAQ), Office of Land Quality (OLQ) and Office of Water Quality (OWQ)), and the Office of Enforcement (OE), worked together to develop a process to promote the services of OPPTA and the CTAP. IDEM inspection forms, both single media and multimedia (MM), for each of the offices now include a box for the business to check if they would like to be contacted by an OPPTA representative. The OE also refers businesses to OPPTA, if appropriate, for development of Supplemental Environmental Projects involving pollution prevention, which typically result in the offset of penalties.



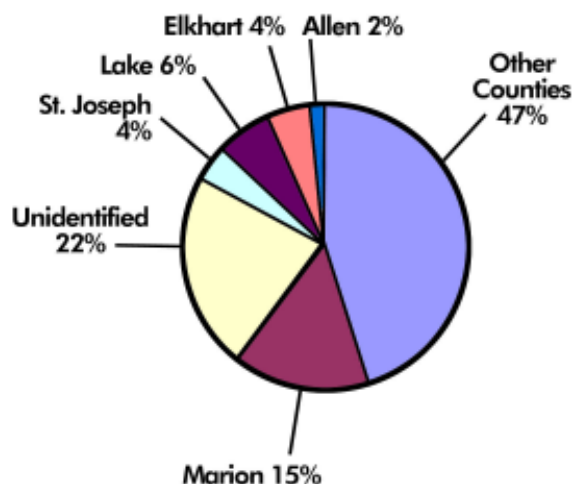
Based on the data collected for 2003 through July 1 (see Figure 1 above), the majority of IDEM referrals, 53 percent (single media and multimedia), came from the OAQ. The OLQ accounted for approximately 45 percent of referrals to CTAP. Finally, OE accounted for two percent of CTAP referrals. The percentages are based on 49 total referrals. These figures do not include referrals by the OWQ to its operator and technical assistance program, nor do they reflect any assistance provided by the circuit rider program supported by IDEM through the Indiana Association of Cities and Towns.

After receiving a referral, the CTAP staff contact the entity to offer assistance. Of the 49 referrals, three (6 percent) of the entities were provided site visits and 13 (27 percent) were assisted either at that time or later in the year. The remaining facilities did not want assistance at the time of the contact.

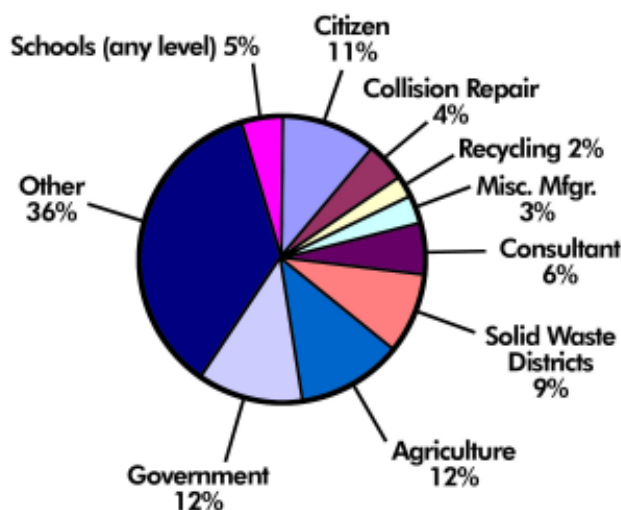
Top 10 Users of CTAP Services:

The CTAP provides assistance to many types of regulated entities and citizens. Figure 2 shows a breakdown of the top 10 users of CTAP services for the first half of 2003. Agricultural and governmental entities led the list with more than 12 percent of total assistance efforts each. Citizens, solid waste management districts, consultants and schools accounted for 11 percent, 9 percent, 6 percent, and 5 percent, respectively.

**FIGURE 3:
Assistance Efforts Based
On County
(Total Assistance = 8565)**



**FIGURE 2:
Top Users of CTAP**



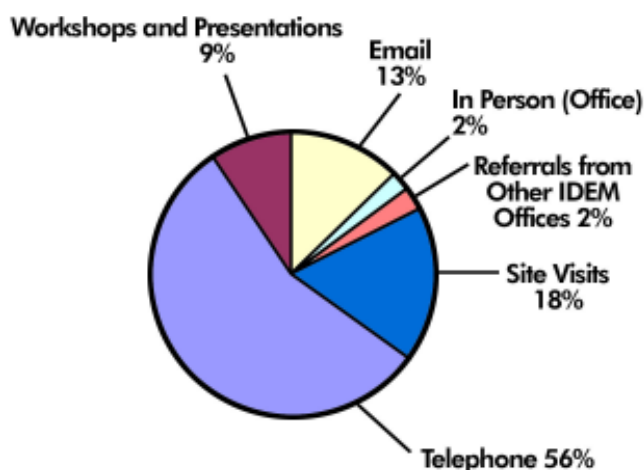
Assistance Efforts Based on County:

Figure 3 shows the top five Indiana counties that received compliance and technical assistance in 2003. CTAP efforts were well distributed throughout the state as shown by the "Other County" category, which includes 87 counties that accounted for 47 percent of the total. Next was the "Unidentified" category, with 22 percent, and Marion County with 15 percent. Even though CTAP provides confidential assistance, some businesses still choose to not provide CTAP with the county in which they are located or any other

location information. Therefore, the data collection system allows the CTAP staff to enter “Unidentified” to accommodate entities that do not wish to disclose their location. The remainder of the top five individual counties included Lake (6 percent); Elkhart (4 percent); St. Joseph (4 percent); and Allen (2 percent).

Although the top five counties did not change from 2002, the percentage of “Other” counties has increased from 45 percent to 47 percent. This increase can be attributed in part to the CTAP’s efforts to market its services statewide. The CTAP’s goal is to continue to increase the “Other County” percentage over the next two years through targeted marketing strategies and working with specific local chambers of commerce and local economic development offices.

FIGURE 4:
Assistance Efforts by
Contact Type
(Total Efforts = 2641)

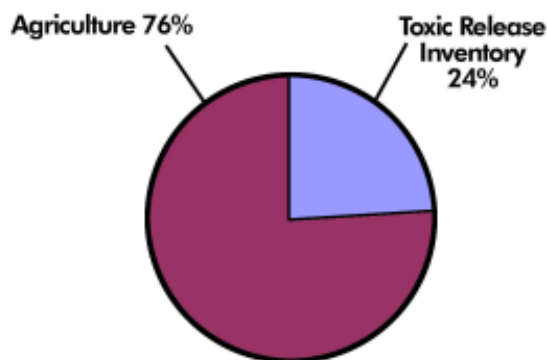


Assistance Efforts Based on Contact Type:

The CTAP tracking system documents assistance efforts based on the manner in which customers are assisted. Categories include telephone assistance, workshops and presentations, e-mail assistance (includes written correspondence and fax assistance), in-person (office) assistance, IDEM referrals, and on-site visits. Percentages are based on 4,657 total assistance efforts recorded through the first half of 2003.

Figure 4 shows a majority of assistance efforts, 56 percent, was provided via the telephone, followed by site visits (18 percent), e-mail (13 percent), workshops and presentations (9 percent), referrals (2 percent), and in person (2 percent). The CTAP continues to make a concerted effort to offer more on-site assistance to Indiana businesses, as shown by the projected 6 percent increase in 2003. Accordingly, compared to 2002, the percentage of entities attending CTAP workshops and presentations is projected to increase by 230 percent, based on doubling of those numbers for the first half of 2003.

FIGURE 5:
Workshop Attendees by Business Type



Workshop Attendees by Business Type:

One of the tools CTAP and OPPTA use to assist Indiana businesses in complying with environmental regulations is workshops. For the first half of 2003, the CTAP offered eight workshops, attracting participants from 202 Indiana entities. Figure 5 illustrates a break down of the percentage of attendees by sector.

- ◆ Two Toxic Release Inventory (TRI) workshops held in Elkhart and in New Albany, attracted 48 people, which accounted for 24 percent of total workshop attendees. These workshops focused on rule changes, common reporting errors, and the need to ensure quality data IDEM and the EPA use TRI data to measure trends in toxic releases.
- ◆ Six agriculture workshops were held across the state, attracting 154 people and accounting for more than 76 percent of the total workshop attendees. IDEM's agricultural liaison led the workshops, which focused on a new Confined Animal Feeding Operations (CAFO) rule, waste management issues, and a storm water regulations overview.

Measuring Results

In January 2001, the CTAP offered an online customer satisfaction survey (<http://www.IN.gov/idem/ctap/survey.html>). The survey takes fewer than five minutes to complete and provides the CTAP with valuable information about the level of customer service being provided. The following sections focus on data compiled from these surveys through July 1, 2003.

Among the questions asked:

Do you have an environmental management system in place?

Figure 6 shows that 54 percent of survey respondents do have an EMS in place. Reasons for implementing an EMS ranged from "good business practice" to "required by corporate/head office." CTAP staff has assisted eight Indiana businesses that implemented an EMS based on ISO principles.

FIGURE 6:
Environmental Management System in Place?

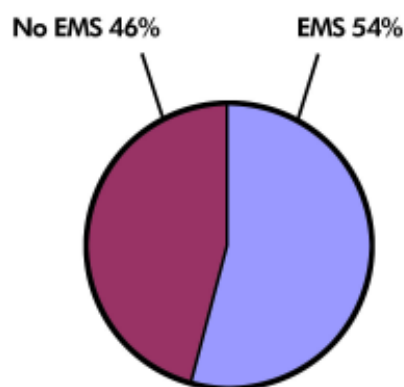
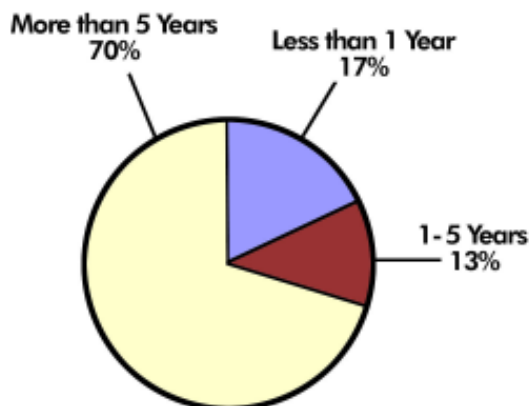


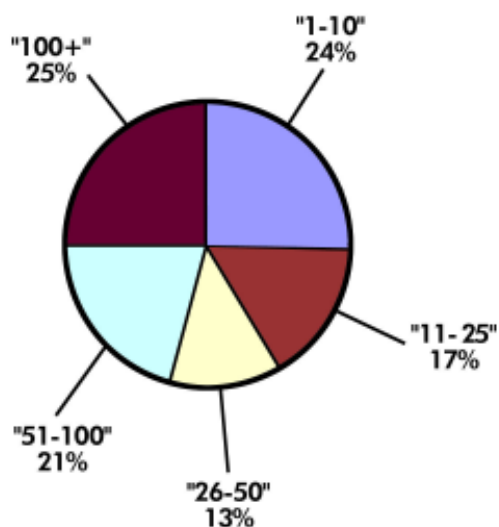
FIGURE 7:
Years in Operation



How long has your business been operating?

Figure 7 shows that a majority of the survey respondents (70 percent) have been in business for more than five years, followed by less than one year (17 percent) and one to five years (13 percent).

FIGURE 8:
of Employees



How many employees do you have at your facility?

Indiana's CTAP program concentrates its efforts on smaller businesses (fewer than 100 employees) as part of the Small Business Assistance Program's (SBAP) requirements.

The largest service categories are "100+" and "1-10" with 25 percent and 24 percent each, while the least was "26-50" at 12.5 percent. Facilities with more than 100 employees — 25 percent of the survey respondents — have requested and received CTAP services, as shown by Figure 8.

"Area of Assistance" is tracked through the CTAP database. Figure 9 depicts the results from the surveys submitted through July 1, 2003. An assistance effort will typically include more than one area of focus. For example, a customer may have originally contacted CTAP for assistance in complying with hazardous waste rules; however, during the assistance effort, the CTAP staff person provided the customer with pollution prevention information to reduce the amount of hazardous waste generated. Based on the surveys submitted, pollution prevention and waste reduction were the most often provided area of assistance.

FIGURE 9:
Areas of Assistance

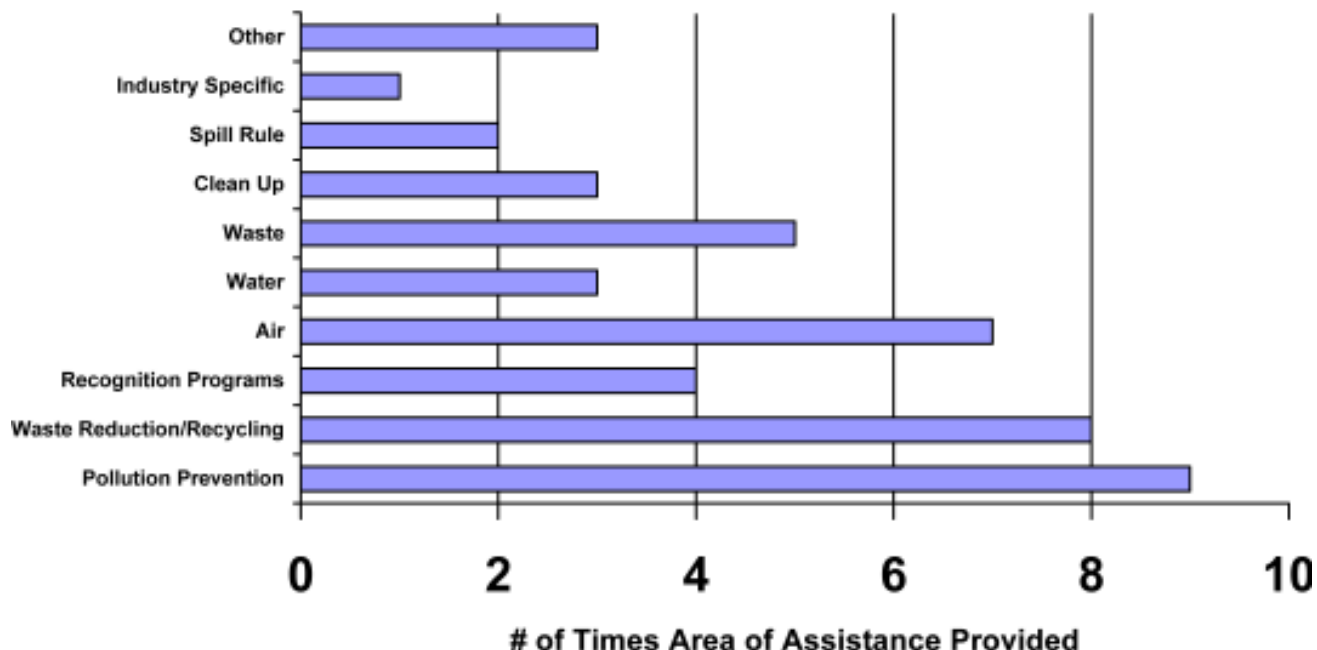
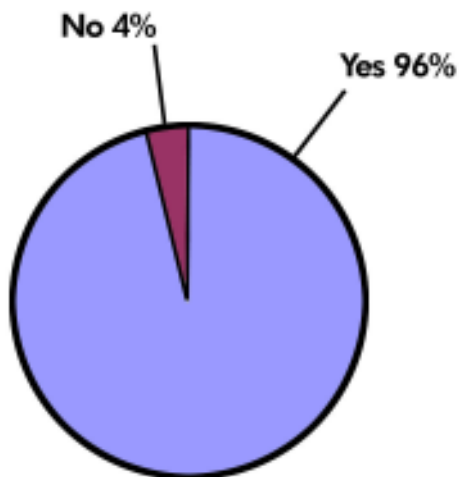


FIGURE 10:
Questions Answered Satisfactorily?



When you contacted an OPPTA or CTAP representative, were your questions answered to your satisfaction?

Figure 10 shows that all but one survey respondent, or 96 percent, felt that his or her questions were answered satisfactorily. CTAP staff worked with the unsatisfied respondent and resolved the unanswered question.

FIGURE 11:
Information Provided

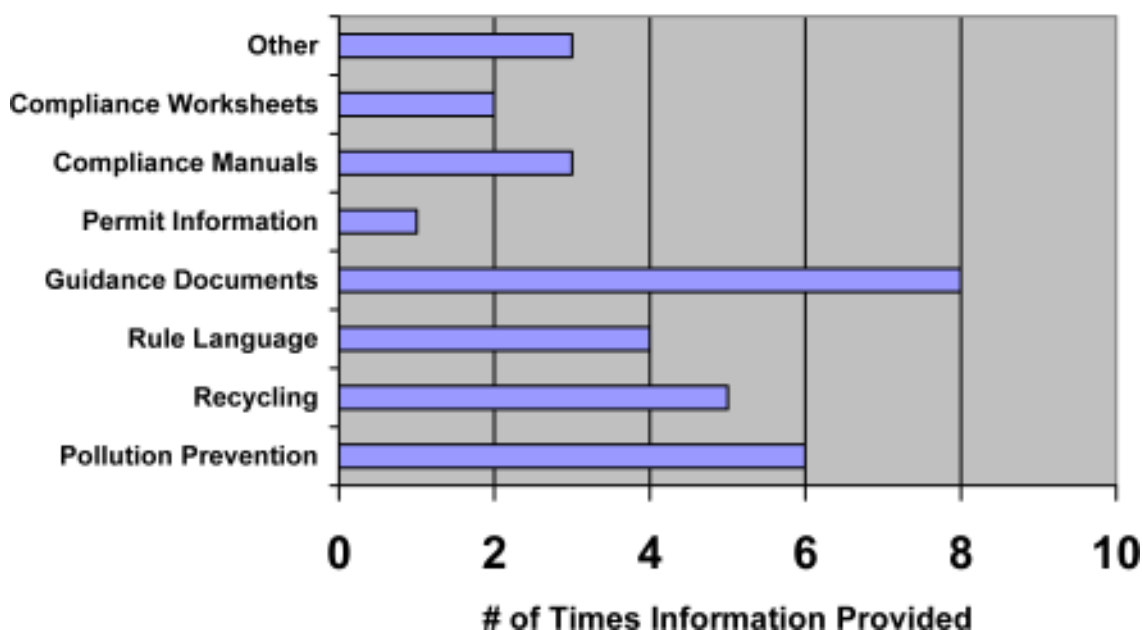
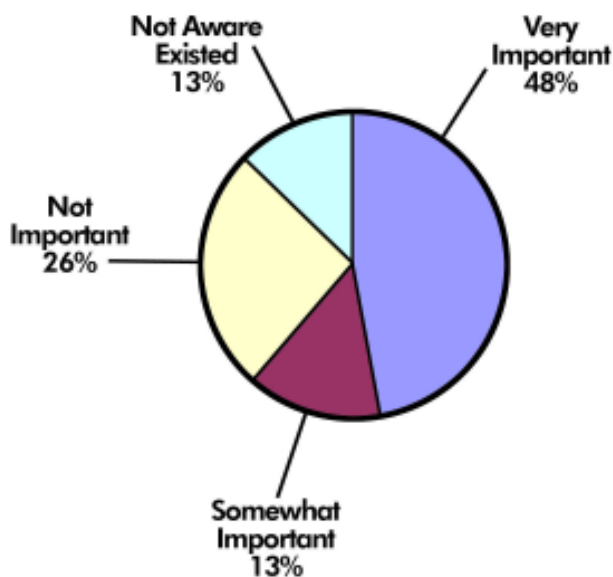


FIGURE 12:
Importance of Confidentiality



What information did OPPTA or CTAP send you?

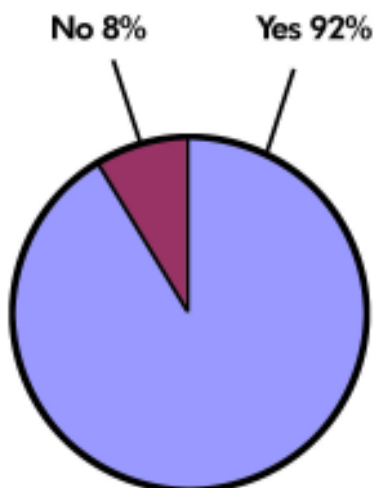
Figure 11 shows that guidance documents from various programs were requested the most. Pollution prevention information ranked as the second most provided piece of information. This information is typically related to sector specific improvements like better management practices or product substitution information.

How important is the CTAP's confidentiality policy to you?

Figure 12 shows a majority (61 percent) of survey respondents view confidentiality as "very to somewhat important."

Twenty-six percent said confidentiality is "not important." The survey results indicate that businesses continue to value the confidentiality requirement for CTAP.

FIGURE 13:
Would You Use OPPTA Again?



Would you use OPPTA or CTAP again?

Figure 13 shows an overwhelming 92 percent of OPPTA's or CTAP's customers would return for additional assistance. Only two (8 percent) of the 24 respondents would not use the services again.

CTAP Site Visit Surveys:

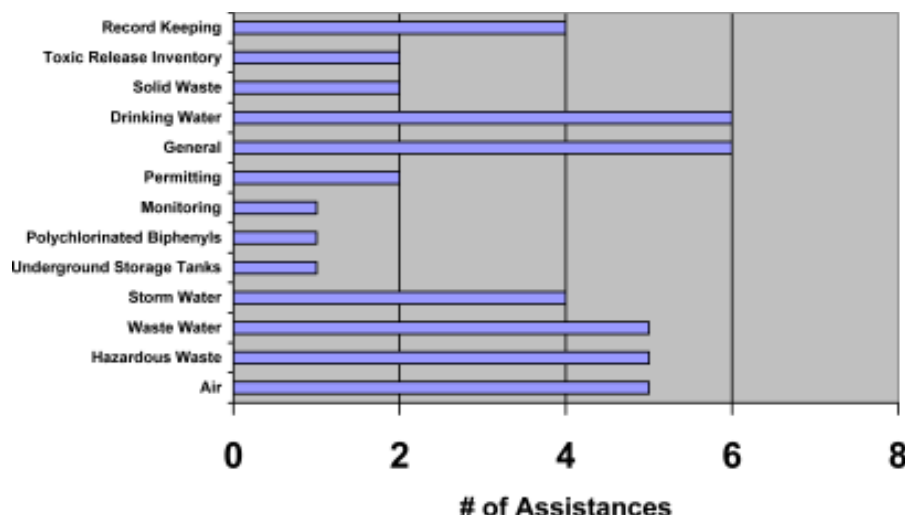
At the beginning of 2003, CTAP distributed surveys to representatives of Indiana businesses that were provided a site visit for pollution prevention and/or compliance assistance. The site visit survey is available at <http://www.IN.gov/idem/ctap/survey/>.

CTAP staff developed an automated system to facilitate the collection of these surveys. Six months after any on-site visit, the CTAP sends a survey to the facility. The six-month timeframe was chosen because that most suggestions for pollution prevention or compliance can be implemented, and results obtained, within that timeframe. The six months also serves as a good reminder timeframe for the facility to follow-up with CTAP if additional services are needed.

The site visit survey has two sections. The first section is used for compliance assistance site visits. Information requested in this section includes, which areas of compliance were reviewed, what types of issues were identified, were the issues corrected, how were the issues corrected, and what environmental impact occurred because of actions taken.

The second part is used for pollution prevention assistance site visits. Information requested includes which pollution prevention activities were implemented, what capital costs were incurred, what cost savings resulted from implementation, and what environmental benefits were realized. The following graphs show the results from the 12 surveys completed from January 2003 to July 2003.

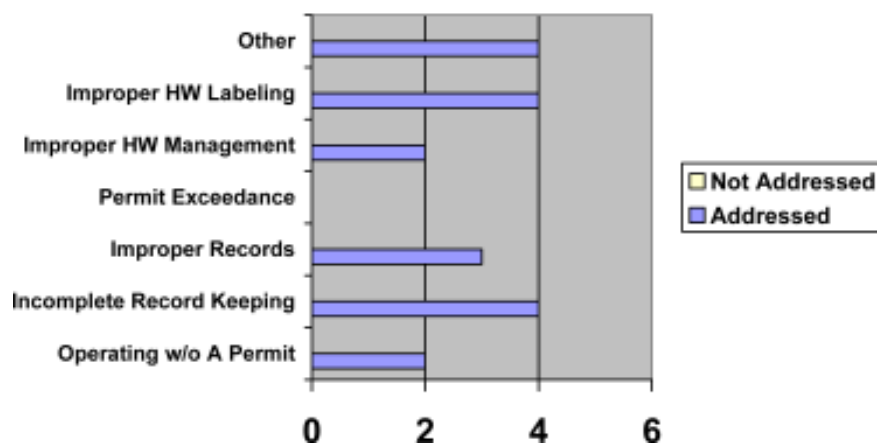
FIGURE 14:
Area of Compliance Assistance Provided



For which environmental media was compliance assistance provided?

Figure 14 shows drinking water and general areas have been reported the most, with six each. Next are wastewater, hazardous waste and air, at five each. The CTAP typically will address more than one compliance subject on a site visit. This is shown by the 50 areas covered in the 12 site visit surveys submitted, which averages out to a bit more than four areas covered per site visit.

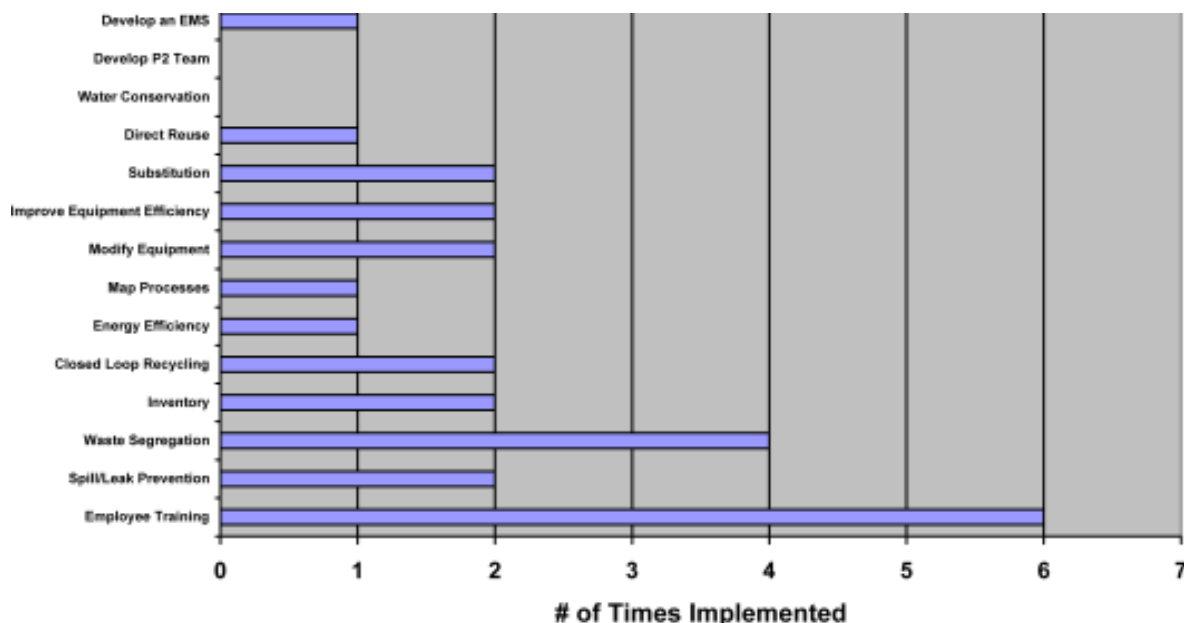
FIGURE 15:
**Potential Compliance Problems
Discovered and Addressed**



Which potential compliance problems were discovered?

Figure 15 shows that all of the potential compliance problems discovered were addressed. When CTAP provides on-site services, staff usually provide assistance in more than one area as discussed previously. Based on the surveys submitted, CTAP average finding potential compliance issues in 1.6 different areas (i.e. improper hazardous waste (HW) management, permit exceedance, or improper paperwork) each site visit..

FIGURE 16:
Pollution Prevention Activities Implemented
Based on Recommendations



What Pollution Prevention activities or operational changes, if any, were implemented at the facility based on suggestions from CTAP staff?

Figure 16 shows the different pollution prevention (P2) activities an entity may have been suggested to implement. Out of the 12 surveys submitted, 26 P2 activities (or more than 2 per entity) implemented were reported. Employee training and waste segregation was the most implemented.

Environmental Benefits of the CTAP Program:

What environmental benefits were derived from implementation of the project?

Compliance with environmental regulations was reported five times (42 percent) as an environmental benefit from implementing the P2 project. Next, was a tie between decreased volatile organic compound emissions, increased solid waste recycling, decreased water consumption and decreased energy consumption which were reported two times each (17 percent).

Clean Manufacturing Technology Institute Small Business Assistance Program Work:

In accordance with section 507 of the federal Clean Air Act (42 U.S.C. 7661(f)) and IC 13-28-3-5, IDEM entered into an agreement with the Indiana Clean Manufacturing Technology Board (CMTB) to provide some of the Small Business Assistance Program services. The agreement requires the CMTB to direct the Indiana Clean Manufacturing Technology Institute (CMTI) to complete the services outlined in the agreement. The term of the agreement is October 9, 2001 – October 9, 2003, with a total remuneration

limit of \$475,632. Quarterly payments of \$59,454.00 are provided after CMTI has demonstrated to the satisfaction of IDEM and the CMTB that the appropriate level of required services has been completed.

The agreement requires that CMTI provide clean manufacturing technical assistance to small businesses in the following manufacturing sectors in Indiana:

- Foundries
- Metal Furniture Products
- Miscellaneous Metal Parts and Products
- Plastic Parts and Products.

The technical assistance provided by CMTI includes on-site engineering consultation, workshops, seminars, conferences, informational brochures, Web site information services and electronic communications. Major goals for CMTI are: hold a minimum of 22 workshops, develop and distribute four sector specific brochures, and give 10 percent to 25 percent of the total number of facilities in each sector listed above an on-site technical assistance visit by CMTI staff. In addition, CMTI is required to follow-up with all sources that were provided on-site technical assistance in order to assess the effectiveness of the services provided.

Below are brief summaries of the progress to date for the major goals of CMTI since October 9, 2001. Additional information can be found on CMTI's Web site at <http://www.ecn.purdue.edu/CMTI/SBAP>.

- Twenty-seven workshops covering a variety of topics were attended by 108 representatives of small businesses.
- CMTI developed and distributed brochures covering: IDEM's self disclosure and environmental audit policy; general small business assistance program; miscellaneous metal parts and products; metal furniture coating; iron and steel foundries; secondary aluminum production; and plastic parts and products.
- There were 141 on-site technical assistance visits performed, which is within the 10 percent to 25 percent goal.
- Seventy-four SBAP Effectiveness Surveys were sent out. There were with 31 responses. A majority of the responses rated services as very good or better.